

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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AIMEE L. O'NEIL,

Plaintiff,

v.

Andrew Poland, Alternative Defense Counsel,

Defendant.

Case No.: 2:20-cv-00648-JAD-EJY

ORDER

Presently before the Court is Plaintiff's Complaint for Violation of Civil Rights (ECF No. 1-1), which is 50 pages in length. Plaintiff also attaches to her initial document an order granting her *in forma pauperis* status. ECF No. 1-4. Plaintiff has also filed a Motion for Default Judgment. ECF No. 3.

However, Plaintiff has not submitted an application to proceed *in forma pauperis*, which she must do pursuant to 28 U.S.C. § 1915(a)(1) and U.S. District Court for the District of Nevada Local Rule LSR 1-1. Local Rule LSR 1-1 states: "Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*. The application must be made on the form provided by the court and must include a financial affidavit disclosing the applicant's income, assets, expenses, and liabilities." Because Plaintiff has not submitted an *in forma pauperis* application her request to proceed is denied without prejudice. In the alternative, Plaintiff may pay the filing fee of \$400 discussed below.

The Court will retain Plaintiff's complaint (ECF No. 1-1), but will not file it until the matter of Plaintiff's *in forma pauperis* application or payment of the filing fee is resolved. Plaintiff is granted one opportunity to file a complete *in forma pauperis* application or in the alternative, pay the full filing fee for this action.

I. CONCLUSION

For the foregoing reasons, IT IS HEREBY ORDERED that Plaintiff's documents docketed at ECF Nos. 1 through 3 are DENIED without prejudice.

1 IT IS FURTHER ORDERED that the Clerk of the Court SHALL SEND Plaintiff the
2 approved form application to proceed *in forma pauperis* by a non-prisoner, as well as the document
3 entitled information and instructions for filing an *in forma pauperis* application.

4 IT IS FURTHER ORDERED that within **thirty (30) days** from the date of this Order,
5 Plaintiff will either: (1) file a fully complete application to proceed *in forma pauperis*, on the correct
6 form, in compliance with 28 U.S.C. § 1915(a) and LSR 1-1; or (2) pay the full \$400 fee for filing a
7 civil action (which includes the \$350 filing fee and the \$50 administrative fee).

8 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this Order,
9 dismissal of this action may result.

10 IT IS FURTHER ORDERED that the Clerk of the Court will retain the complaint (ECF No.
11 1-1) but will not file it at this time.

12 DATED: April 23, 2020

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15 ELAYNA J. YOUCHAH
16 UNITED STATES MAGISTRATE JUDGE
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